

A regular meeting of the Elma Town Board was held on Wednesday, October 22, 2025, at 7:00PM at Elma Town Hall, 1600 Bowen Road, Elma, New York, with the following members:

Supervisor	Wayne Clark
Councilman	Leroy Kupczyk
Councilman	Joseph Macaluso
Councilman	Daryl Nolan
Councilman	Tracy Petrocy
Also:	
Building Inspector	Joseph Colern
Highway Superintendent	Howard Diehl
Plant Manager	Brian Nolan Jr
Town Attorney	Phyllis Todoro
Sewer Plants	Timothy Walczyk
Town Engineer	James Wyzykiewicz-Absent

The meeting was opened with the reciting of the Pledge of Allegiance.

Making the legal notice on the Public Hearing for the Community Block Development Grant (CDBG) part of the minutes Supervisor Clark opened the public hearing at 7:00pm. No one spoke for or against or offered any suggestions. Supervisor Clark closed the public hearing at 7:03pm.

Councilman Petrocy made the motion, and Councilman Kupczyk seconded the motion to approve the minutes from the September 17, 2025, meeting. Ayes-5. Noes-0. Carried.

Department Reports:

Building Inspector Joseph Colern presented the September 2025 building report with 39 permits issued, fees collected of \$3,969.91 with an estimated value of construction of \$1,207,853.00. Plant Manager Brian Nolan Jr noted they are still working on rebuilding the water pumps and will be winterizing the hydrants starting next week. Highway Superintendent Howard Diehl noted brush pick-up is in progress and the dam at the Elma Village Green will be cleaned up next week.

Councilman Petrocy made the motion, and Councilman Nolan seconded the motion to approve a negative declaration of a short form SEQR for Section 8 Hobbies at 2841 Transit Rd, Elma NY. Ayes-5. Noes-0. Carried.

Councilman Petrocy made the motion, and Councilman Kupczyk seconded the motion to approve a Business Use Permit for Section 8 Hobbies at 2841 Transit Rd, Elma NY this is a final approval for a retail hobby and game store. The Building Inspector notes final inspection was on September 25, 2025. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion, and Councilman Macaluso seconded the motion to approve a negative declaration of a short form SEQR for Elma Beauty Bar LLC at 2355 Bowen Rd, Elma NY. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion, and Councilman Macaluso seconded the motion to approve a Business Use Permit for Elma Beauty Bar LLC at 2355 Bowen Rd, Elma NY for a salon. The Building Inspector notes sign permit required and fire inspection required within 30 days of occupancy. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion, and Councilman Kupczyk seconded the motion to approve a negative declaration of a short form SEQR for Transit Auto at 101 Jamison Rd, Elma NY. Ayes-4. Noes-0. Abstain-1. (Councilman Macaluso abstained) Carried.

Councilman Nolan made the motion, and Councilman Kupczyk seconded the motion to approve a Business Use Permit for Transit Auto at 101 Jamison Rd, Elma NY for parking cars and storage. The Building Inspector notes parking cars only, no junk vehicles or junk auto parts. Ayes-4. Noes-0. Abstain-1. (Councilman Macaluso abstained) Carried.

Councilman Petrocy made the motion, and Councilman Kupczyk seconded the motion to approve a negative declaration of a short form SEQR for Transit Auto at 1761 Transit Rd, Elma NY. Ayes-4. Noes-0. Abstain-1. (Councilman Macaluso abstained) Carried.

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Councilman Kupczyk made the motion, and Councilman Petrocy seconded the motion to approve a Business Use Permit for Transit Auto at 1761 Transit Rd, Elma NY for parking card, employee parking and storage. The Building Inspector notes parking cars only, no junk vehicles or junk auto parts. Ayes-4. Noes-0. Abstain-1. (Councilman Macaluso abstained) Carried.

Councilman Macaluso made the motion, and Councilman Nolan seconded the motion to approve a negative declaration of a short form SEQR for Slosson Educational Publications at 7601 Seneca St, Elma NY. Ayes-5. Noes-0. Carried.

Councilman Macaluso made the motion, and Councilman Kupczyk seconded the motion to approve a Business Use Permit for Slosson Educational Publications at 7601 Seneca St, Elma NY for storage, data center, computers and AI. The Building Inspector notes sign permits required for advertising and fire inspection required within 30 days of occupancy. Ayes-5. Noes-0. Carried.

Councilman Petrocy made the motion, and Councilman Macaluso seconded the motion to approve the application for the Community Block Development Grant (CDBG) to install new doors for the Elma Senior Center and Rural Transit Van Service. Ayes-5. Noes-0. Carried.

Councilman Kupczyk made the motion, and Councilman Macaluso seconded the motion to approve the Town Clerk to sign the Community Block Development Grant resolution to replace the doors at the Elma Senior Center at the cost of \$37,421.78 and Rural Transit Van Service. Ayes-5. Noes-0. Carried.

Councilman Nolan made the motion, and Councilman Kupczyk seconded the motion to approve a resolution authorizing a loan from the General Fund to Drainage District #114 for cleaning and seeding retention pond as follows: WHEREAS, the Town wishes to proceed with the repairs within Drainage District No. 114, and WHEREAS, the Town has estimated the total cost for cleaning and seeding of the retention pond to be \$3,095.00 and WHEREAS, the Town does not currently have such an improvement budgeted in Drainage District NO. 114, but does have funding available through a loan form the General Fund. NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the amending of the 2025 adopted budget for Drainage District NO.114 to authorize appropriations of \$3,095.00 for cleaning and seeding of the retention pond. BE IT FUTHER RESOLVED that the Town Board authorizes a loan from the General Fund to Drainage District No.114 in the amount of \$3,095.00, with the loan to be repaid over a five-year period. At the cost of \$44.214 per the 14 residents from 2026 until 2030. Ayes-5. Noes-0. Carried.

Councilman Kupczyk made the motion, and Councilman Petrocy seconded the motion to approve the annual Preventive Maintenance & Service Agreement with MJ Mechanical Services Inc. Ayes-5. Noes-0. Carried.

Councilman Petrocy made the motion, and Councilman Macaluso seconded the motion to approve the Erie County 2025-2028 Intermunicipal Snow Removal and Ice Control Agreement that all towns need to sign, with a 4% increase per year. Ayes-5. Noes-0. Carried.

Councilman Macaluso made the motion, and Councilman Kupczyk seconded the motion to approve the EMW Soccer Agreement for 2025 at the cost of \$5000.00 this has been budgeted for. Ayes-5. Noes-0. Carried.

Councilman Macaluso made the motion, and Councilman Kupczyk seconded the motion to approve the provisional appointment of the Water Superintendent to Brain Nolan Jr active as of October 20th, 2025. This is provisional upon when the Civil Service test is given. Ayes-4. Noes-0. Abstain-1. (Councilman Nolan abstained) Carried.

Supervisor Clark made the motion, and Councilman Petrocy seconded the motion to add an item to the agenda. Ayes-5. Noes-0. Carried.

Councilman Kupczyk made the motion, and Councilman Macaluso seconded the motion for the following resolution amending the 2025 adopted budget for personnel changes that have been implemented. WHEREAS the Town has implemented certain personnel changes, and WHEREAS, while these changes have no effect on the total 2025 budget, the changes do make it necessary to transfer budgetary appropriations between certain appropriation codes, NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the amending of the 2025 budget as follows: Decrease Appropriations: SW 8310.490 Contingencies \$15,000.00.

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Increase Appropriations: SW 8310.100 Water Superintendent \$15,000.00.
Ayes-5. Noes-0. Carried.

Councilman Petrocy made the motion, and Councilman Nolan seconded the motion to set a Public Hearing date of November 19, 2025, at 7:00PM for the 2026 Preliminary Budget and Special Use Permit 1761 Transit Rd, Elma NY. Ayes-4. Noes-0. Abstain-1. (Councilman Macaluso abstained) Carried.

Councilman Nolan made the motion, and Councilman Kupczyk seconded the motion to approve Vouchers/Warrant #10 claim #756 thru #864 as follows: General Fund \$63,492.44; Highway Fund \$46,400.63; Water District \$42,127.70; Special District \$112,924.31.
Ayes-5. Noes-0. Carried.

All have received the Planning, Zoning and Conservation Board agendas and minutes that apply.

The next Work Session will be November 12th, 2025, at 6:00pm with the Town Board meeting on November 19th, 2025, at 7:00PM.

Councilman Nolan made the motion, and Councilman Macaluso seconded the motion to enter Executive Session regarding pending litigation and will adjourn immediately following this session with no motions taken. Ayes-5. Noes-0. Carried.

All Town Board members in favor to adjourn Executive Session.

Respectfully submitted, by notes from Town Attorney Phyllis Todoro

A Public Hearing will be held on Wednesday, October 22nd, 2025, at 7:00PM at the Elma Town Hall, 1600 Bowen Road, Elma, New York regarding the use of Federal Community Development Block funds in the Town of Elma. The Town of Elma is eligible for a Federal Community Development Grant under Title I of the Housing and Community Development Act of 1974, as amended. The purpose of the Hearing is to provide an opportunity for citizens to express community development and housing needs and to discuss possible projects which would benefit low and moderate-income people, seniors, and handicapped persons in the Town of Elma. Citizens are urged to attend this meeting to make known their views and/or written proposals on the Town of Elma's selection of potential projects to be submitted for possible funding by the Federal Community Development Grant Program. The Hearing will also present a review of prior Community Development projects and expenditures and discussion of eligible activities. The meeting room is wheelchair accessible.